

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

ANN WISEMAN and SARA HOWARD
individually and on behalf of all
others similarly situated

PLAINTIFFS

v.

CASE NO. 4:14CV478 BRW

TRANSAMERICA LIFE INSURANCE
COMPANY

DEFENDANT

NOTICE

FROM: John T. Holleman
HOLLEMAN & ASSOCIATES, P.A.
1008 West Second Street
Little Rock, AR 72201
Telephone: 501-975-5040
Toll Free: 855-825-5916
jholleman@johnholleman.net

&

Lloyd "Tre" Kitchens
The Brad Hendricks Law Firm
500 C Pleasant Valley Drive
Little Rock, AR 72227
Attorneys for Plaintiffs

TO: Present and former billing specialists at the Transamerica Life Insurance Company facility in Little Rock, Arkansas.

RE: Fair Labor Standards Act lawsuit (seeking overtime compensation) against Transamerica.

(1) **INTRODUCTION.** The purpose of this notice is to inform you about a pending collective action lawsuit in which you may be a member of the plaintiffs' class to advise you of how your rights may be affected by this suit and to instruct you on the procedure for participating in this suit.



- (2) DESCRIPTION OF THE LAWSUIT. Ann Wiseman and Sara Howard brought this suit individually and on behalf of all others similarly situated to them against the Transamerica facility in Little Rock, Arkansas. The billing specialists allege Transamerica failed to pay them overtime compensation for the hours worked over forty in a work week. The billing specialists allege that Transamerica was aware that billing specialists were working in excess of forty hours per week. The billing specialists seek damages in the amount of the overtime rate (one-and-one-half times their regular rate of pay) for the hours worked over 40 in a workweek, and an equal amount in liquidated damages. The Plaintiffs also seek an award of attorneys' fees. The lawsuit is proceeding through pre-trial stages and is set for trial the week of July 7, 2015 at the federal courthouse in Little Rock, Arkansas.
- (3) COMPOSITION OF THE CLASS. The named Plaintiffs seek to sue on behalf of themselves and also on behalf of other current and former employees who are similarly situated. Specifically, the Plaintiffs seek to sue on behalf of any and all current or former billing specialists who worked at Transamerica's Little Rock, Arkansas facility from three years from date of mailing to the present.
- (4) YOUR RIGHT TO PARTICIPATE IN THIS SUIT. If you fit the definition above, you may join this suit (that is, you may "opt in") provided that you file or cause to be filed the attached Consent to Join forms and information regarding the specific filing requirements is available from Plaintiffs' attorney, John Holleman, 1008 West Second Street, Little Rock, AR 72201, (501) 975-5040, jholleman@johnholleman.net.
- (5) EFFECT OF JOINING THIS SUIT. If you choose to join this suit, you will be bound by the judgment whether it is favorable or unfavorable. While the suit is proceeding you may be required to provide information, sit for depositions, and testify in court. You will not be required to pay attorneys' fees directly. The Plaintiffs' attorneys will receive a part of any money judgment entered in favor of the class.
- (6) EFFECT OF NOT JOINING THE SUIT. If you choose not to join this suit, you will not be affected by the judgment, favorable or unfavorable. If you choose not to join this suit, you are free to file your own lawsuit. If you do not join this suit, however, its filing will not stop the running of the statute of limitations (deadlines) applicable to any claims you may have against Transamerica within the scope of the suit. If those deadlines expire before you file your own lawsuit, you may lose valuable rights. Accordingly, if you desire to file your own lawsuit, you should contact an attorney to

preserve whatever rights you may have.

- (7) CLASS COUNSEL. If you choose to join this suit, the named Plaintiffs through their attorney will represent your interests. The Plaintiffs' attorney and attorney for the class is:

John T. Holleman
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1008 West Second Street
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Telephone: (501) 975-5040
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jholleman@johnholleman.net

Lloyd "Tre" Kitchens
The Brad Hendricks Law Firm
500 C Pleasant Valley Drive
Little Rock, AR 72227
Telephone: (501) 221-0444

- (8) FURTHER INFORMATION. Further information about this suit, your rights to join this action, information about filing a Consent to Join, and additional Consent to Join forms can be obtained by contacting John Holleman at (501) 975-5040.
- (9) RETALIATION PROHIBITED. The law prohibits anyone from discriminating or retaliating against you for taking part in this case. If you believe you have been penalized, discriminated against or in any way disciplined or punished or if you have been threatened or intimidated in any way as a result of your receipt of this notice or election to participate in this lawsuit, you should contact John Holleman or the Clerk of the Court immediately.

THE COURT HAS MADE NO DECISION REGARDING
THE MERITS OF THE CLAIMS OR DEFENSES.

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CONSENT TO JOIN COLLECTIVE ACTION

I hereby consent to join the action against the above-referenced Defendant as a Plaintiff to assert claims for violations of the Fair Labor Standards Act. I consent to becoming a party Plaintiff to this lawsuit, to be represented by Holleman & Associates, P.A. and The Brad Hendricks Law Firm, and to be bound by any settlement of this action or adjudication of the Court.

Print Name

Address

Signature

Telephone

Date

Email

RETURN FOR FILING **BEFORE [90 days from mailing]** to: John Holleman, Holleman & Associates, P.A., 1008 West Second Street, Little Rock, AR 72201